

# United States District Court

EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

WILLIAM LEE GRANT, II

v.

U.S. DEPARTMENT OF  
TRANSPORTATION, ET AL.

§

§

§

§

§

Civil Action No. 4:18-CV-444

(Judge Mazzant/Judge Nowak)

## **MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On January 28, 2019, the report of the Magistrate Judge (Dkt. #5) was entered containing proposed findings of fact and recommendations that Plaintiff William Lee Grant, II's claims be dismissed pursuant to 28 U.S.C. § 1915.

Plaintiff filed his Objection to the report on February 20, 2019 (Dkt. #8). Plaintiff's Objection contains statements that are contrary to the record, and/or have no relevance whatsoever to the recommendations made by the Magistrate Judge. A Court is required to perform a *de novo* review of any part of the report's disposition to which a party has filed specific written objections. Fed. R. Civ. P. 72(b)(3). Conversely, the Court reviews for plain error when a party makes frivolous, conclusive or general objections to the report. *See Nettles v. Wainwright*, 677 F.2d 404, 410 n.8 (5th Cir. Unit B 1982) (en banc) (frivolous, conclusive or general objections to the magistrate judge's report need not be considered by the district court), *overruled on other grounds by Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415 (5th Cir. 1996). Plaintiff's Objection is frivolous, without legal basis, and unsupported by the record, and therefore, should be overruled.

Having reviewed the report of the United States Magistrate Judge, Plaintiff's Objection, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's reports as the findings and conclusions of the Court.

It is, therefore, **ORDERED** that Plaintiff William Lee Grant, II's claims are **DISMISSED with prejudice**.

All relief not previously granted is **DENIED**.

The Clerk is directed to **CLOSE** this civil action.

**IT IS SO ORDERED.**

**SIGNED this 1st day of March, 2019.**

  
AMOS L. MAZZANT  
UNITED STATES DISTRICT JUDGE